

RESEARCH ACTIVITY PANEL  
A WORKING GROUP OF THE  
MONTEREY BAY NATIONAL MARINE SANCTUARY ADVISORY COUNCIL  
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Monterey Bay National Marine Sanctuary  
Research Activity Panel Meeting Minutes

Ocean View Conference Room, MBA  
Monterey, California

Friday, March 17, 1995 - 0900 to 1200 hrs

Minutes taken and transcribed by:  
Aaron King, Monterey Bay NMS - RAP Executive Coordinator

#### Member Attendees

George Boehlert, NMFS, Pac. Fish. Environmental Group  
Greg Cailliet, RAP Chair, Moss Landing Marine Labs  
Laura Ehret, Naval Post-Graduate School  
Steve Eittreim, United States Geological Service  
Chris Harrold, Monterey Bay Aquarium  
Jim Harvey, Moss Landing Marine Laboratories  
Terry Jackson, Monterey Bay National Marine Sanctuary  
Debra Johnston, California Department of Fish and Game  
Ken Parker, NOAA Ocean Applications Branch  
Don Potts, University of California, Santa Cruz  
Dennis Powers, Hopkins Marine Station  
Bruce Robison, Monterey Bay Aquarium Research Institute  
Jan Roletto, Gulf of the Farallones and Cordell Bank NMS  
Gary Sharp, CIRIOS  
Rick Starr, University of California Sea Grant  
Mark Stephenson, California Department of Fish and Game  
Les Strnad, California Coastal Commission

#### Guest Attendees:

Nicole Crane, Hopkins Marine Station  
Steve Webster, Monterey Bay Aquarium  
Anna Weinstein, Center for Marine Conservation

#### Members Not Able to Attend:

Andrew DeVogelaere, ESNERR and Foundation  
Jim Rote, NOAA/OCRM  
Cliff Hoskins, Department of the Interior  
Stephen Mueller, Morro Bay Foundation

Greg Cailliet, RAP Chair, introduced the meeting.

Quick discussion items:

Introductions - Introductions were made around the table.

Approval of the February 17, 1995, Meeting Minutes (Cailliet) - Minutes accepted and approved, without correction, by unanimous vote.

Report on the SAC meeting (Cailliet) - Topics included - A report from the Army on cleanup of Fort Ord and its effects on the Sanctuary; A workshop on SAC Strategic Planning; Piedras Blancas Elephant Seal harassment problems; Means of generating outside funds to support Sanctuary Programs; ATOC; A presentation on a sustainable plan for Monterey Bay Area; Dredging of Moss Landing Harbor. Terry answered a question about the vessel traffic safety study, saying that it was still not final.

User Workshop Report (Cailliet) - Greg reported that a summary was published on the User Fee workshop that was held in Monterey. Greg reported that, in general, the report states that most users do not agree with the use of User Fees to support Sanctuaries, but prefer other means that utilize voluntary donations.

Symposium on 20 May at UCSC on environmental factors and fisheries (Cailliet) - Greg announced that the UCSC Regional Studies program is getting off the ground with a symposium on May 28 addressing environmental changes and marine fisheries, and how these affect local social situations.

CERES (Cailliet) - Greg announced his discovery of CERES by talking with some CDFG folks up at the San Francisco Biodiversity conference he attended recently. Gary Sharp discussed CERES more, stating that this was a spatial database concentrating on presence or absence of species in locations.

Research Coordinator Position Status (Jackson) - Terry discussed several options that the Sanctuary office is looking at in order to hire a Research Coordinator, including several Foundations, the Park Service, etc. Problems include such things as overhead expenses, etc. Terry stated that he was possibly just going to put the contract out from his office and deal with the process to avoid paying overhead costs, unless someone has a better idea or other options. Greg restated the fact that the RAP had previously formed a Research Coordinator evaluation subcommittee at the

previous meeting of George, Gary, Greg and Don. The feeling of the RAP was to make sure this process was completed as soon as possible to get the money encumbered, and to get the position filled.

NOAA Guide to MBNMS/GFNMS/CBNMS Marine Researchers (King) - Aaron stated that four institutions have sent back their questionnaires on the Research Directory, and encouraged the others to get theirs in as soon as possible.

Permit Report (King) - Aaron Reported that only one research permit was pending, the one for the McArthur Cruise.

Electronic Communications Update (King) - Aaron asked and received permission from the RAP to set up a World Wide Web page on the MBNMS Internet Server for the RAP with Greg and Terry as his advisor and editor.

Institutional Permit Status (King) - Nothing has yet moved on institutional permits due to other high priorities at SRD. Terry did announce however that SRD is working to set up a new streamlined method for issuing permits. Jan discussed what she had heard about the new system stating that it would probably be a tiered system depending upon the level of effect. Les expressed concern that whatever system was incorporated should come out as a draft so that the RAP and other groups could comment on it before it is put in place.

RAP Binder (King) - Aaron stated that the SAC binder was completed, and that he and Scott would be working to make up Working Group Addendums to the SAC binder that would contain important info on that working group. The Addendum would be retained by the Working Group coordinator (e.g. - Aaron for the RAP), and would be brought to meetings for reference.

Next Monterey Bay Research Symposium (Parker/Starr) - Rick described how he and Ken were starting to work with the other working groups and the SAC to possibly set up a single Sanctuary Symposium event. It was also stated that the next Symposium would concentrated on the results of the Site Characterization and "visualization of the Sanctuary." Dennis stated that he would like to see the Symposium held at the same time every year so it can be planned on year by year. As it is planned now, February 1996 is a target date. A concern was expressed that the Symposium should have a poster session, since the 1993 poster session was so successful.

Response to RAP Membership Invitation to CSUMB (Cailliet) - No response has yet been officially

received from CSUMB, though Gary stated that it would probably be Jim Rote.

DOI Representative (King) - Aaron announced that correspondence has been received replacing the current DOI representative, Cliff Hoskins, with Patricia Port.

#### RAP/MBNMS Review of Research Proposals -

##### In Review/Reviewed:

- CCC Information Network: Just recently received and given to Gary Sharp by the Chair for a quick turn-around review. Gary finished the review and the letter has been sent in already.

##### New Requests:

- USGS San Andreas Geodynamics - This has been given by the Chair, via Don Potts, to Eli Silver at UCSC for review.

Scheduling of July - December, 1994, RAP Meetings (Cailliet) - The Chair expressed a desire to hold a RAP meeting in the near future at the ESNERR facilities. Aaron said that the Aquarium has asked that the RAP give as much lead time to future meetings there as possible. The RAP decided to have the Chair and the RAP come up with a schedule at their discretion. George Boehlert offered future use of the new NOAA facility in Pacific Grove.

Shark Attractant ANPR and Public Hearing (King) - Aaron described the present process NOAA is going through to decide whether or not to regulate shark attractants within the MBNMS (an Advance Notice of Proposed Rulemaking). Aaron also announced that a Public Hearing would be held on March 22, at 7 pm, at Cabrillo College in Aptos. Gary Greene, the Director of Moss Landing Marine Labs, has graciously agreed to serve as a hearing moderator for the Sanctuary. The RAP decided to send Deborah Johnston to the hearing to present the RAP's scientific analysis of shark attractants that it did for the SAC and Sanctuary management.

BREAK

#### DISCUSSION ITEMS

NOAA's Decision on ATOC (Cailliet) (and the associated topic of establishing better communications with SRD/Wahle, and revisiting the "Role of the RAP") - The Chair stated that he saw that we had three topics to cover: 1) the last SAC meeting, and Greg's participation in that discussion, 2) Terry's explanation of the events

that led up to the decision to move ATOC out of the Sanctuary, and 3) the letter from the RAP (written by Chris Harrold) to Terry and SRD.

Terry started the discussion by explaining that this was not an easy decision for NOAA or SRD to reach, and everyone felt that ATOC is a very complicated project with a lot of public interest. He also mentioned that the decision was based on information in the FEIS for the project. He then passed out his comments that he had submitted to SRD.

Terry then noted that the Endangered Species Act standard of, "a commonly accepted standard for significant impact, is one that would substantially reduce the number or restrict the range of rare, endangered, or threatened plants and animals, cause a fish or wildlife population to drop below sustainable levels, or adversely affect significant wildlife habitat" may not be sufficient within a Marine Sanctuary. There is generally a belief among NOAA administrators that, in a Sanctuary, the potential risk of environmental uncertainty should be set at a higher standard. SRD felt that when information is lacking, that the Sanctuary Program should proceed with caution. He also commented that he did not believe that 4 to 6 months was sufficient to assess the seasonal components of the marine mammal work and recommended a year at minimum. Another concern of Terry's and SRD was that the DEIS did not sufficiently explore the alternative sites of Sur Slope and Pioneer Seamount. In summary, NOAA felt that the marine mammal study would be beneficial, and could yield valuable environmental information. However, simply to say that the risk of drastic environmental danger was low, was not an acceptable standard within a Sanctuary. Finally, Terry stated that he believed that the mechanism to identify how the source would be switched off when environmental damage was identified was not clearly identified.

Terry then discussed how this decision was reached within NOAA. In particular, it was noted that the Sanctuary regulations state that any permitted project within the Sanctuary can only cause a negligible, short-term impact on Sanctuary resources, and further an understanding of Sanctuary resources. NOAA decided that this could not be assured to a satisfactory level within the DEIS.

Jim Harvey asked Terry to explain how the RAP's opinion and advice were incorporated into NOAA's decision. Terry assured the RAP that its resolution and comments were fully considered. He did note, however, that there was some disappointment in NOAA that the DEIS was not actually reviewed by the RAP specifically (as requested

a long time ago by SRD), but instead the RAP passed a resolution in support of the project. Steve Webster noted that the SAC also was partly responsible for side-stepping the issue by not taking a vote, but merely forwarding on the Working Group comments. Steve said he intended to take a lesson from that, especially since Charlie Wahle stated that it may have made a difference to NOAA if the SAC had taken a strong stand in favor of or against the ATOC project.

The RAP discussed Terry's explanation. In general, the RAP felt that NOAA's decision was flawed for the following reason: By moving the project outside of the Sanctuary, NOAA has deminished its control over the project. If the transmitter is placed on Pioneer Seamount or Sur Slope, the same organisms will be affected, though the Sanctuary program can no longer influence the project.

The RAP discussed the problems associated with the fact that there was such a high level of proof required before anything could be done in the Sanctuary. Terry disagreed with this conclusion, stating that the DEIS only stated conclusively that there was no threat of acute or chronic problems. If the DEIS had stated that there were some risks, but that they were of reasonable levels for a Sanctuary, that may have been acceptable. Jim Harvey argued that there was virtually no level of risk here, that all the controversy was due to one person (Lindy Weilgart) spreading false information via email. He argued that this type of action could have the effect of stopping any action in the Sanctuary.

At this point, Les Strnad encouraged the RAP to maintain a dialogue with SRD, NOAA and the Feds in general. Even if it is a confrontational one, that is better than disengaging. Les suggested that, as part of the SAC's strategic plan, a method be identified for review of environmental documents, such as an EIS or EIR.

The conversation then turned to what this decision was based on; Science or Politics. The RAP was particularly disturbed that the decision to ask that the source be moved, was still being argued (contrary to the RAP's opinion) as one that was based on scientific facts, instead of politics and regulations. This then evolved into a discussion of the use of a Sanctuary in general, when it should be noted that the most influential effects on the Sanctuary, such as fishing, are not over issues that can even be discussed. It was argued that, instead, the Sanctuary just seems to tinker around the edges of the really important marine environmental issues. Terry stated that he felt that the feelings surrounding the ATOC issue were an anomaly, and he felt that without the support of the local research

community, the MBNMS program would have difficulties surviving.

At this point the Chair focused the RAP's attention to the letter to Terry and Charlie Wahle from the RAP via Chris Harrold. Chris made a couple of minor corrections to the statements made in the letter. Terry appealed to the RAP not to feel that there was a message being sent on this matter (as stated in the letter) that there was any type of anti-research tendency within the Sanctuary program. Most members present stated that they felt that there was an anti-research tendency, and that the Sanctuary program needed to work on rectifying that perception. Other than that there was no further discussion of Chris' letter, and the RAP endorsed the content of the letter.

Les asked the Chair, and the Chair agreed, to report back to the RAP on his effort to get these issues addressed in the SAC Strategic Plan.

NOAA R/V McArthur (Jackson/King) - Aaron gave a short presentation on the present makeup of the various projects associated. Aaron gave the timelines associated with each project, explaining how each project would dovetail with other associated projects.

MBNMS Research Budget (Jackson) - Aaron began the discussion by summarizing what had been decided at previous meetings, and handed out a package of proposals that had been received to date. Aaron said that the decisions had already had been made to fund the multi-corer and \$1000 to support the ROV/Diving/Benthic Inverts studies being done off the McArthur by UCSC. Aaron also stated that there were three immediate concerns on spending money, these were: the USGS Deep-Sea Current meter replacement (Eittreim), the CDFG CTD repairs (van Tresca), and the CDFG McArthur Sediment analysis preparation (Stephenson). Concern was raised in discussion that the CDFG CTD repairs might not be followed up by continuous maintenance by CDFG due to budgetary restraints. Dennis Powers suggested and the Chair concurred, that perhaps a small subcommittee be put together to figure out a more structured method of setting criteria for RAP evaluation of MBNMS research projects. This subcommittee was formed with Powers, Steve Eittreim and Rick Starr (with Aaron facilitating). The subcommittee was tasked with establishing a process for soliciting researchers, criteria for selecting proposals and a discussion paper on how to proceed on the Monitoring Aspect of the budget for the April meeting. With this in mind, the RAP decided to proceed on deciding now on the three immediate needs. The RAP took voice votes to fund the CDFG Sediment sample

collections on the McArthur, but declined to fund the CDFG CTD repairs at this time. Rick Starr offered to call Dave Ven Tresca to investigate the CTD issue further, and the RAP would revisit this issue at the April meeting and reconsider funding. Steve Eittreim voluntarily withdrew the Deep-Sea Current meter from a vote until the next meeting.

#### OTHER ITEMS

Other Old Business - Nothing

New Business - Nothing

#### ADJOURN



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March 9, 1995

Research Advisory Panel

Dear Member:

The minutes from the February 17, 1995, RAP meeting and the next meeting's agenda are enclosed with this correspondence. The next RAP meeting is being held on Friday, March 17, 1995, in the Monterey Bay Aquarium's Ocean View Conference Room from 9 am to noon.

If you have any questions, or wish to add topics to the agenda please contact Aaron King at the numbers listed above.

Cheers,

Dr. Gregor Cailliet  
RAP Chair

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March 9, 1995

MBNMS RAP Interested Parties:

The minutes from the February 17, 1995, RAP meeting and the next meeting's agenda are enclosed with this correspondence. The next RAP meeting is being held on Friday, March 17, 1995, in the Monterey Bay Aquarium's Ocean View Conference Room from 9 am to noon.

While you are not a member of the RAP, this information is being copied to you for informational purposes. However, you are welcome to attend the upcoming meeting as an observer. If you would like to attend, please call me at the numbers listed above.

Finally, I would like to take a moment to discuss RAP communications with you. There are three means by which I communicate and coordinate activities of the RAP: mail, fax and email. Lately, the RAP has become extremely dependent upon email communications. Every member of the RAP has email, and this process makes it very easy for me to coordinate their activities. If some material contains graphics, or is too long for email, I may fax it to each of the RAP members (since they all have fax machines also). Finally, if some correspondence is too long or inappropriate for faxing, I may mail it to the RAP membership. The bottom line is that many of you do not have email or fax capabilities. If you don't, you cannot be assured of receiving all RAP correspondence. If you want to be assured of receiving all this info, please arrange for email and fax service and I will be happy to add you to those lists.

Sincerely,

Mr. Aaron E. King

Dear RAP Members:

This is just to let you know that I have researched the time and place of the next four meetings to ensure that they are available at 0900 hrs on those days. The schedule would then be as follows:

March 17 - 0900 - Monterey Bay Aquarium, Ocean View  
Conference Room, East - Note on entering

April 21 - 0900 - Calif. Fish and Game Office, Monterey

May 19 - 0900 - Monterey Bay Aquarium, Ocean View  
Conference Room, East

June 16 - 0900 - Calif. Fish and Game Office, Monterey

Also, the Aquarium has asked that RAP meeting participants enter through the office from now on when arriving for meetings at the Aquarium. Some RAP/Aquarium Members have been using the Members entrance, and they would prefer (for technical reasons) that we use the office route.

Thanks

Aaron King

P.S. - Minutes and Agenda to follow shortly.

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#### RAP Meeting Agenda

Ocean View Conference Room  
Monterey Bay Aquarium  
Monterey, CA

Friday, March 17, 1995, 0900 to 1200 hrs

#### ANNOUNCEMENTS:

#### Introduction of Members and Participants

- a) Members Not Able to Attend:
- b) Meeting Member Substitutions:
- c) Guest Attendees:

#### List:

Greg Cailliet, MLML - RAP Chairman  
Laura Ehret, Naval Postgraduate School  
Steve Eittreim, USGS  
Chris Harrold, Monterey Bay Aquarium  
Jim Harvey, Moss Landing Marine Labs  
Cliff Hoskins, Department of the Interior  
Terry Jackson, Manager, Monterey Bay NMS  
Deborah Johnston, CA DFG/ Monterey  
Ken Parker, OAB  
Don Potts, UCSC  
Karen Worcester, Morro Bay Foundation  
Bill Schramm, OAB  
Gary Sharp, CIRIOS  
Rick Starr, Univ. of CA, Sea Grant Advisory Program  
Mark Stephenson of CDFG/Mar. Pollution Studies Lab  
George Boehlert, NOAA/NMFS/PFEG  
Andrew DeVogelaere, ESNERR and Foundation  
Dennis Powers, Hopkins Marine Station  
Bruce Robison, MBARI  
Jan Roletto, GFNMS  
Jim Rote, NOAA/OCRM  
Les Strnad, CA Coastal Commission

Approval of the February 17, 1995, Meeting Minutes  
(Cailliet)

Report on the SAC meeting (Cailliet)

User Workshop Report (Cailliet)

Symposium on 20 May at UCSC on environmental factors and fisheries (Cailliet)

CERES (Cailliet)

Research Coordinator Position Status (Jackson)

NOAA Guide to MBNMS/GFNMS/CBNMS Marine Researchers (King)

Permit Report (King)

Electronic Communications Update (King)

Institutional Permit Status (King)

RAP Binder (King)

Next Monterey Bay Research Symposium (Parker/Starr)

Response to RAP Membership Invitation to CSUMB (Cailliet)

RAP/MBNMS Review of Research Proposals

In Review/Reviewed:

- None

New Requests:

- CCC Information Network

- USGS San Andreas Geodynamics

Scheduling of July - December, 1994, RAP Meetings (Cailliet)

BREAK

DISCUSSION ITEMS

MBNMS Research Budget (Jackson)

NOAA R/V McArthur (Jackson)

SRD's Decision on ATOC and the Discussion (Cailliet) - Establishing better communications with SRD/Wahle, and Role of the RAP

OTHER ITEMS

Other Old Business - Open

New Business - Open

Items for future meetings -

- Monterey Academy of Oceanography

- GLOBEC

- Open

ADJOURN